

**VILLAGE OF GOSHEN
PLANNING BOARD
Work Session/Regular Meeting
September 23, 2008**

The work session/regular meeting of the Village of Goshen Planning Board was called to order at 7:30 p.m. on Tuesday, September 23, 2008 by Acting Chairman Roger Pikul.

Present: Ed Connor
Elaine McClung
Roger Pikul, Acting Chair
Arthur Walsh

James Ullrich, Planning Consultant
Mike Donnelly, PB Attorney
Ted Lewis, Building Inspector

Absent: Jerome O'Donnell, Chair

CONTINUATION OF PUBLIC HEARING

Duso Properties, Inc., S. Stoltz, 144 South Street, #120-1-2, OB District.

No one was present to represent the applicant.

PB Attorney Mike Donnelly said that the applicant did not want to ask for action on the project this evening without a full five member PB present. The applicant told Mr. Donnelly that he met with Mayor Weinberger to discuss the Village's interest in a road connection. Mr. Donnelly doesn't know the outcome of the meeting.

Roger Pikul opened the public hearing to comment.

Steve Bogart, 156 South St., said he wants to point out to the PB that neighbor Rennie Andrews was correct when he said at the last public hearing that the site's entrance as shown on the applicant's map is incorrect. Mr. Bogart showed the PB photographs taken at the site. "You can see the sidewalk ends past where the curb of the road should be," he said. Mr. Pikul asked Mr. Ullrich to look at the photographs with the PB. Mr. Ullrich said he will look at it and identify the issue to the applicant. Mr. Bogart said that the buffer should be a "no man's land" and should buffer the homeowners from the building. The applicant is not creating a buffer according to that definition, he said.

Rennie Andrews, 145 South St. asked if the PB had a report from the State Historic Preservation office. Mr. Ullrich said that a response had not yet been received. He asked if the requested geotechnical report had been received. Mr. Ullrich said it had not. Mr. Andrews asked if anything had been given to the Village engineer on the applicant's proposed detention pond. Mr. Ullrich said he had not seen anything yet, but that when it is submitted, it will be available for public review.

VOTE BY PROPER MOTION, made by Ms. McClung, seconded by Mr. Connor, the Village of Goshen Planning Board continues the Public Hearing on the application of Duso Properties, Inc. to October 21, 2008 at 7:30 pm. Passed unanimously.

Request from A.R. Tully, PE, for Goshen Plaza for status discussion and extension of PB approvals.

Present for the applicant:

Art Tully, PE
Applicant Paul Foley

Art Tully said the project received approval in December of 2007 and that he was present along with the owner, Paul Foley, to request an extension of the approval to December 2008. The applicant has been working with the Village Board in regard to the purchase of property and the project is moving forward, he said.

Mr. Donnelly said that the PB granted an amended subdivision site plan approval on Sept. 25, 2007, but the resolution was not entered in the Office of the Village Clerk until sometime in December of 2007, stating that is when the approval became effective. The law says that the original approval is good for 180 days and the PB can grant two additional 90-day extensions to bring the total to 360 days, he said. Mr. Donnelly said he will have to check the date in December that the resolution was entered, stating the extension requested would be to a date in December, 2008, 360 days from the date it was entered. The PB cannot grant an extension beyond the 360 days, he said.

VOTE BY PROPER MOTION, made by Ms. McClung, seconded by Mr. Connor, the Village of Goshen Planning Board grants an extension of the amended subdivision site plan approval for the applicant Goshen Plaza to 360 days from a date in December of 2007 when the resolution was entered in the Office of the Village Clerk. Passed unanimously.

Haight Cemetery Association, 370 Main Street, #105-1-1, R-R/ADD Site Plan, Proposed two-story building, approximately 5,000 square feet.

Present for the applicant: Chad Wade

The PB had referred the applicant to the ZBA because the proposed building is 61 feet from the front yard lot line and the minimum front yard setback is 200 feet. The ZBA is concerned that the site is on the State Historic list. The ZBA requests that the PB be the lead agency and send the application to SHIPPO who won't act until the SEQRA process has been started. Mr. Ullrich said he has prepared a draft letter of referral.

Mr. Connor asked Mr. Wade what purpose the building will be used for. Mr. Wade said "it is for annual membership" but added that he doesn't know the details. Mr. Connor asked if there will be a kitchen facility and said that the basic question of the ZBA is for what purpose will the building be used. He said the PB needs that information before it goes any further.

Mr. Donnelly said that the lead agency issue has to be resolved first. He said a Notice of Intent has to be issued, 30 days has to pass for it to be final and ultimately SHIPPO probably won't take action until SEQRA is closed out. The ZBA will not be able to act on a variance until the lead agency is resolved, he said.

Mr. Ullrich said that "this is one of those projects where we will need a detailed written description of what the project actually is."

VOTE BY PROPER MOTION, made by Ms. McClung, seconded by Mr. Connor, the Village of Goshen Planning Board declares its intent to be the lead agency on the application of the Haight Cemetery Association. Passed unanimously.

Mr. Connor said the PB wants to see a narrative and that he would like to see members of the Cemetery Association at a PB meeting.

MINUTES

VOTE BY PROPER MOTION, made by Mr. Connor, seconded by Mr. Walsh, the Village of Goshen Planning Board approves the minutes of the meeting of August 26, 2008 with corrections. Passed unanimously.

ADJOURNMENT

VOTE BY PROPER MOTION, made by Mr. Walsh, seconded by Mr. Connor, the Village of Goshen Planning Board meeting adjourned at 8:02 pm.

Roger Pikul, Acting Chair
Notes prepared by Susan Varden